

Deputy Chief, Finance Division

15 November 1950

Legal Staff

Separation Allowance

1. Your draft of a letter outlining the criteria to be employed in administratively determining whether a separation allowance shall be granted for health reasons in a certain pregnancy case has been reviewed and is believed to contain a sound approach to the problem.

2. You properly require a statement by the claimant that the separation is due to the health reason upon which his claim is based. Also, approval by the claimant's supervisor and advice on the case by the Medical Staff are logical requisites to final approval.

3. Probably the most difficult aspect of these cases is determining where to draw the line in giving weight to the peculiar health circumstances of the individual for whom the allowance is claimed. On the one hand, qualification for a separation allowance for reasons of health cannot be determined solely by reference to a list of unhealthy posts, since individuals whose health is not actually affected by conditions at the post would thereby become eligible for an allowance. Conversely, the personal physical condition of the individual cannot be the sole criterion, else almost any post in the world might be determined to be "notably unhealthy" within the wording of Sec. 7.2 of the Standardized Civilian Allowance Regulations. This point is illustrated by your example of the invalid who could not go to any foreign post. You correctly state that the personal health condition of the individual must be related to health conditions at the post.

4. The lack of proper medical facilities appears to be a legitimate consideration in these cases. However, here again a line will have to be drawn in those cases involving need for very specialized medical facilities. It may be unhealthy for an individual to remain in [] because certain specialized medical facilities are not available there, but the post could hardly be called "notably unhealthy" for that reason.

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5. Thus, the consideration of individual health circumstances should be limited, to avoid the absurdity of determining that "notably unhealthy... living conditions" exist at posts which are well known to be relatively healthful.

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Encl:

Draft memo on
above subject

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See Memo dtd 23 Oct 50
this file.

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cc: Chrono

Sub 4000

on 15 Dec. 50

Medical Care

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ORIGINAL DOCUMENT MISSING PAGE(S):

ATTACHMENT